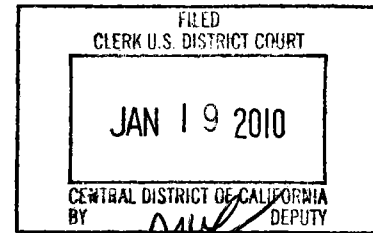


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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

12 KELLY LAVINO,

13 Plaintiff,

14 -vs-

15 METROPOLITAN LIFE
16 INSURANCE COMPANY;
17 MALCOLM PIRNIE WELFARE
18 BENEFIT PLAN,

19 Defendants.

NO. CV-08-02910 SVW (FMOx)

[Signature]
[PROPOSED] JUDGMENT

The Honorable Stephen V. Wilson

1 In accordance with the Court's Findings of Fact and Conclusions of Law filed
2 January 13, 2010, it is hereby ORDERED that Plaintiff Kelly Lavino shall have
3 judgment against Defendants Metropolitan Life Insurance Company and the
4 Malcolm Pirnie Welfare Benefit Plan, collectively ("Defendants").

5 Defendants shall pay to Plaintiff long term disability benefits in accordance
6 with the terms of the Malcolm Pirnie Welfare Benefit Plan ("Plan") from the date of
7 termination of Plaintiff's long term disability claim to the expiration of the "own
8 occupation" period provided by the Plan, such period being January 7, 2008 to
9 March 28, 2008, plus interest on such benefits at the rate prescribed by 28 U.S.C.
10 Section 1961.

11 The Court further remands this matter to Defendants and orders Defendants to
12 review Plaintiff's eligibility for continued long term disability benefits pursuant to
13 the "any occupation" standard provided by the Plan.

14 The Court further orders Defendants to review the percentage of benefits to
15 which Plaintiff is entitled pursuant to the terms of the Plan.

16
17 Dated: 1/19/10


STEPHEN V. WILSON
U.S. District COURT JUDGE